IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.744 OF 2007

Rajesh M. Dalmia ...Applicant.
V/s.
Union of India & Ors. ...Respondents.

Shri Sujay Kantawala with Yogesh Rohira i/b
U.P.Warunjikar, advs. for the Applicant.
Smt.R.M.Gadhvi, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 7th March, 2007.

P.C.:

1. Heard Mr.Kantawala, the learned counsel for the applicant and Ms.Gadhvi, the learned APP for the respondent/State.

2. According to the applicant, he is apprehending arrest for the offence under Section 135(1)(ii) of the Customs Act, 1962 and therefore, he seeks anticipatory bail in this application. This Court has repeatedly held that the offence under Section 135(1)(ii) is bailable and, therefore, application for anticipatory bail under Section 438 of the Cr.P.C. is not tenable.

3. Application stands rejected.

(J.H.Bhatia,J.)